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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	Ì	
10/689,066	10/21/2003	Shu-Hui Chang	CHAN 3221/EM	3397		
1444 7	7590 03/03/2006		EXAMINER			
BROWDY A	ND NEIMARK, P.L	L.C.	WATSON,	WATSON, ROBERT C		
624 NINTH ST	FREET, NW					
SUITE 300	•		ART UNIT	PAPER NUMBER		
WASHINGTO	N DC 20001-5303		3723		•	

DATE MAILED: 03/03/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary Examiner Art Unit			Application	on No.	Applicant(s)				
Robert C. Watson 3723 Period for Reply A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS. WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. BY NO PERIOD STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS. WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. BY NO PERIOD STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS. WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION. BY NO PERIOD STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS. WHICHEVER IS LONGER THE MAILING DATE OF THIS COMMUNICATION. BY NO PERIOD STATUTORY PERIOD FOR THE MAILING DATE OF THIS COMMUNICATION. BY NO PERIOD STATUTORY PERIOD FOR THE MAILING DATE OF THIS COMMUNICATION. BY NO PERIOD STATUTORY PERIOD FOR THE MAILING DATE OF THE	Office Action Summary				CHANG, SHU-HUI				
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Although claim 12 as amended is indicated by applicant to read on the species of Figure 3 the examiner finds that the limitation "fused to a total surface area of the bottom" reads on non-elected species Figure 12-14 and not on the elected species of Figure 3. Accordingly, claim 12 has been withdrawn.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1, 2, 13, and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kogyo KK (JP 5123263) in view of Kogyo KK (JP5064617).

The peelable chopping board of Kogyo KK ('263) has multiple resin pairs attached to each other at their peripheries by a cover layer. It is unclear in Kogyo KK ('263) what the cover layer laminating material 3 found at the total of the periphery of the sheets is.

The chopping board of Kogyo KK ('263) has multiple sheets attached to each other at their peripheries by a cover layer of laminating material. The sheets are attached to each other by the use of a thermally fusion bonding of resin along the total periphery of the sheets.

To employ for a cover layer a thermally fusion bonding of resin along the total periphery of the sheets in Kogyo KK ('263) would have been obvious for one skilled in the art at the time the invention was made in view of the disclosure of Kogyo ('617).

One of ordinary skill in the art would have been motivated to do this in order to provide a convenient means of laminating the sheets.

The type of "thermally fused resin" or the manufacturing means employed to produce this is no more than an obvious matter of design choice absent a showing of criticality for this feature. The examiner takes **Official Notice** that the thermoplastic material, rubber, is a well known and obvious type of thermal fusing bonding resin and that injection molding is well known and obvious type of manufacturing process for producing thermally fused resin products. The hardness of the cover layer is no more than an obvious matter of design choice absent a showing of criticality for this feature. It is axiomatic that if the sheets are to be "peeled" apart by breaking the portion of the cover layer at the periphery of the sheets that the hardness of the cover layer obviously should be desirably be less than the hardness of the cutting board sheet. Clearly the cover layer is designed by Kogyo KK as a frangible element relative to the cutting board sheet and it is therefor axiomatic that the frangible element obviously would have a hardness less than the hardness of the cutting board sheet. To employ different materials for the hard cutting board and the frangible cover layer is considered to be no more than an obvous matter of design choice. Since the cutting board is hard and the frangible cover layer is considerably less hard then it would be obvious if not necessary to make these items from different materials.

Claims 3-12 are withdrawn from further consideration pursuant to 37 CFR

1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made without traverse in the reply filed on 8/1/05.

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Applicant's remarks have been given careful consideration. Notwithstanding applicant's remarks the newly amended claims are found to be obvious over the newly applied references.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert C. Watson whose telephone number is 571 272-4498. The examiner can normally be reached on Mon. - Thurs., 5:30am - 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph J. Hail III can be reached on 571 272-4485. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

rcw

ROBERT C. WATSON PRIMARY EXAMINER